

February 26, 2010

VIA ELECTRONIC COMMENT FILING SYSTEM

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Suite TW-A325
Washington, DC 20554

Re: Fidelity Access Networks, LLC
EB Docket No. 06-36

Dear Secretary Dortch:

Pursuant to section 64.2009(e) of the Federal Communications Commission's rules, 47 C.F.R. §64.2009(e), enclosed for filing in the above-referenced docket, please find the annual CPNI compliance certification of Fidelity Access Networks, LLC.

Please direct any questions regarding this filing to the undersigned at 202-370-3929.

Respectfully submitted,

Wendy Creeden /RCW

Wendy Creeden

Direct line: 202-370-3929
wcreeden@sandw.com

cc: Best Copy and Printing, Inc. (via e-mail)

Fidelity Access Networks, LLC
Annual 47 C.F.R. § 64.2009(e) CPNI Certification
EB Docket 06-36

Annual 64.2009(e) CPNI Certification for calendar year 2009.

Name of company covered by this certification: Fidelity Access Networks, LLC

Form 499 Filer ID: 825558

Name of signatory: Robert Marks

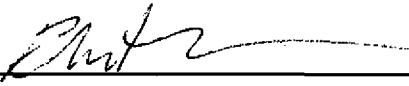
Title of signatory: President

I, Robert Marks, certify that I am an officer of the company named above ("Company"), and acting as an agent of the Company, that I have personal knowledge that the Company has established operating procedures that are adequate to ensure compliance with the Federal Communications Commission's ("Commission's") Customer Proprietary Network Information ("CPNI") rules. *See 47 C.F.R. § 84.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the Company's procedures ensure that the Company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The Company has not received any customer complaints in the past year concerning the unauthorized release of CPNI. The Company has not taken any actions (proceedings instituted or petitions filed at either state commissions, the court system, or at the Commission) against data brokers in the past year. The Company also has no knowledge or experience regarding the specific processes pretexters are using to attempt to access CPNI. The steps that the Company is taking to protect CPNI are described in the attached statement that summarizes the Company's operating procedures for compliance with the Commission's CPNI rules.

This certification is made to the best of my knowledge, information and belief.

Signed: 

Dated: 02/26/2010

**STATEMENT REGARDING
CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI)
OPERATING PROCEDURES**

This statement explains the operating procedures of Fidelity Access Networks, LLC ("Fidelity Access" or "Company") to ensure compliance with the Customer Proprietary Network Information ("CPNI") rules of the Federal Communications Commission ("Commission" or "FCC").

- Fidelity Access uses, discloses and permits access to CPNI for the purpose of providing a customer with the requested telecommunications service. The Company also uses CPNI for various purposes permitted by law, including: (a) to initiate, render, bill, and collect for its telecommunications services; (b) to protect the rights or property of the Company, or to protect users of those services and other service providers from fraudulent, abusive, or unlawful use of or subscription to, such services; (c) for purpose of providing carrier premise equipment ("CPE") and call answering, voice mail or messaging, voice storage and retrieval services, fax store and forward, protocol conversion; and (d) for the provision of inside wiring, installation, maintenance, repair services.
- Fidelity Access does not use, disclose or permit access to CPNI for marketing purposes.
- Fidelity Access does not provide Call Detail Record ("CDR") information over the telephone to customers who contact the Company. Non-CDR CPNI is provided over-the-phone only to authorized contacts on the customer's account. The Company also does not provide access to any CPNI (CDR or non-CDR) on-line. The Company does not have any retail locations.
- Fidelity Access will disclose CPNI upon affirmative written request by a customer to any person designated by the customer. The Company verifies all affirmative written customer requests for CPNI.
- Fidelity Access sends a notification to the e-mail address on the customer's account for over 30 days anytime account information (i.e., address of record, alternative contact numbers, etc.) is changed.
- Within 7 days of a reasonable determination of breach (i.e., CPNI disclosed to a third party without customer authorization), Fidelity Access will notify the US Secret Service ("USSS") and Federal Bureau of Investigation ("FBI") of the breach via the central reporting facility www.fcc.gov/eb/cpni. After 7 days of USSS and FBI notice, if the Company has not received written direction from USSS or FBI, the Company will notify the customer of the breach, unless the USSS and FBI have extended the period for such notice. For 2 years following USSS and FBI notice, the Company will maintain a record of (1) discovered breaches; (2) notifications to USSS and FBI; (3) USSS and FBI responses; (4) dates breaches discovered; (5) dates the Company notified USSS and FBI; (6) details of CPNI breached; and (7) circumstances of breaches.
- Fidelity Access employees are trained as to the proper protection, uses and treatment of CPNI, including familiarity with the Company's internal CPNI policies and procedures. The Company employs appropriate remedies against those persons violating the Company's internal CPNI policies and procedures, including, but not limited to, financial, legal or disciplinary actions including termination and referrals to law enforcement when appropriate.